

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

PENG LI,

Plaintiff,

v.

Case No. 2:25-cv-2110-MSN-atc
JURY DEMAND

WERNER ENTERPRISES, INC. and
MATTHEW GREHN,

Defendants.

**ORDER GRANTING DEFENDANTS' MOTION TO TRANSFER CASE TO EASTERN
DIVISION OF WESTERN DISTRICT OF TENNESSEE**

Before the Court is Defendants' Motion to Transfer Case to Eastern Division of Western District of Tennessee (ECF No. 13, "Motion") filed on March 14, 2025. No response was filed, and the time for doing so has passed.

This matter arises out of a motor vehicle accident on Interstate 40 near mile marker 45¹ that occurred on December 4, 2023. (ECF No. 1-2 at PageID 7.) The Tennessee Electronic Traffic Crash Report lists "Shelby" as the county where the accident occurred. (*See* ECF No. 13-1 at PageID 36.) The traffic citation issued to Defendant Matthew Grehn similarly lists Shelby County as where the accident occurred, yet directs that Defendant Grehn may plead guilty by mailing a waiver and the fine to the Haywood County General Session Court; otherwise, Defendant was

¹ The Complaint alleges the accident occurred, "near mile marker 45," (ECF No. 1-2 at PageID 7), but the crash report lists the mile marker as "45.60." (ECF No. 13-1 at PageID 36). The difference doesn't matter for purposes of the Motion.

required to appear before the Haywood County General Session Court in Brownsville, Tennessee, on January 25, 2024, at 1:30 p.m. (ECF No. 13-2 at PageID 39.) Perhaps mostly importantly, the crash report also lists the latitude and longitude of the accident as 35.422210 and -89.363620, respectively. That location is marked by a blue pin on the map below, which confirms that the accident happened in Haywood County—not far from the border with Fayette County:



This matter is before the Court pursuant to its diversity jurisdiction under 28 U.S.C. § 1332(a). Plaintiff is a citizen of California, and Defendants are citizens of Nebraska and Connecticut. The case was removed from the Circuit Court of Shelby County, Tennessee.

As set forth in Local Rule 3.3(a) and 28 U.S.C. § 123, the Western District is made of two divisions: the Eastern Division and the Western Division. The Eastern Division includes the

counties of Benton, Carroll, Chester, Crockett, Decatur, Dyer, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, McNairy, Madison, Obion, Perry, and Weakley. The Western Division comprises the counties of Fayette, Lauderdale, Shelby, and Tipton. Local Rule 3.3(b) also provides rules regarding the division in which actions are to be filed. Relevant here, paragraph (b)(3) says that if no defendant resides in the District, the action is to be filed either in the division in which any plaintiff resides, or the division in which the claim arose or event complained of occurred. Local Rule 3.3(c) then provides that if a party moves to have an action that was brought in an improper division transferred to the proper division, the court shall transfer the matter.

Defendants moved to transfer this matter to the Eastern Division in accordance with Local Rule 3.3. Because the accident at issue here occurred in Haywood County, Tennessee, the Eastern Division is the proper division for this matter. Further, Plaintiff had until March 28, 2025, to respond in opposition to the Motion. She failed to do so. In accordance with Local Rule 7.2(a)(2), Plaintiff's failure to respond to the Motion "may be deemed good grounds for granting the motion."

For the reasons set for above, Defendants' Motion to Transfer Case to Eastern Division of Western District of Tennessee (ECF No. 13, "Motion") is **GRANTED**. This matter shall be **TRANSFERRED** to the Eastern Division and **REASSIGNED** to a United States District Judge in the Eastern Division.

IT IS SO ORDERED, this 1st day of April, 2025.

s/ Mark S. Norris

MARK S. NORRIS

UNITED STATES DISTRICT JUDGE